

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:	§	
	§	Chapter 11
	§	
CORE SCIENTIFIC, INC., <i>et al.</i> ,	§	Case No. 22-90341 (DRJ)
	§	
Debtors. ¹	§	(Jointly Administered)
	§	
	§	

**NOTICE OF DEBTORS' PROPOSED SCHEDULES
RELATED TO DEBTORS' OBJECTION TO PROOFS
OF CLAIM NOS. 358 AND 359 FILED BY SPHERE 3D CORP.²**

Core Scientific, Inc. and its debtor affiliates in the above-captioned chapter 11 cases, as debtors and debtors in possession (collectively, the “**Debtors**”), file this *Notice of Debtors’ Proposed Schedules Related to Debtors’ Objection to Proofs of Claim Nos. 358 and 359 Filed by Sphere 3D Corp.*, (the “Notice”) in advance of the non-evidentiary status conference on *Debtors’ Objection to Proofs of Claim Nos. 358 and 359 Filed By Sphere 3D Corp.* (Docket No. 869) (the “**Claim Objection**”), which will be conducted on August 7, 2023 at 3:30pm (Prevailing Central Time) depending on the outcome of the *Debtors’ Motion for Summary Judgment with Respect to Proof of Claim Nos. 358 and 359 by Sphere 3d Corp.* (Docket No. 959) (the “**Summary Judgment Motion**”).

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are as follows: Core Scientific Mining LLC (6971); Core Scientific, Inc. (3837); Core Scientific Acquired Mining LLC (6074); Core Scientific Operating Company (5526); Radar Relay, Inc. (0496); Core Scientific Specialty Mining (Oklahoma) LLC (4327); American Property Acquisition, LLC (0825); Starboard Capital LLC (6677); RADAR LLC (5106); American Property Acquisitions I, LLC (9717); and American Property Acquisitions, VII, LLC (3198). The Debtors’ corporate headquarters and service address is 210 Barton Springs Road, Suite 300, Austin, Texas 78704.

² The Debtors submit these proposed schedules in the event that the Court proceeds to the non-evidentiary status conference on Proofs of Claim Nos. 358 and 359 filed by Sphere 3D Corp., which is scheduled on calendar subject to the Court’s ruling on the Summary Judgment Motion. As stated in the Summary Judgment Motion, Debtors’ primary position is that further proceedings are not necessary here, as the issues should be decided as a matter of law.

Pursuant to the *Joint Stipulation and Agreed Order (I) Extending Response Deadline with Respect to Debtors' Objection to Proofs of Claim Nos. 358 and 359 Filed by Sphere 3D Cor. (II) Suspending Discovery Pending Further Order* (Docket No. 956), the parties agreed to defer all discovery regarding Proofs of Claim Nos. 358 and 359 filed by Sphere (the “**Sphere Claims**”) and the Claim Objection “until after a non-evidentiary scheduling conference with the Court to set relevant discovery and litigation deadlines and a trial.” (Document No. 956).

In the event that the Court determines, after hearing the Summary Judgment Motion, that the parties shall proceed with discovery, Debtors respectfully propose that the parties advance with limited discovery on the narrow and claim-dispositive threshold issue of whether Sphere 3D Corp. (“**Sphere**”) has any rights under the relevant agreements executed between Core and another entity, Gryphon Digital Mining, Inc. A proposed schedule on this targeted claim-dispositive discovery is set forth immediately below for the Court’s consideration.

EVENT	DATE
<u>Discovery:</u>	
Deadline for all initial requests for document discovery to be served.	Mon., Aug. 14, 2023
Deadline to complete document productions, including of any third parties.	Fri., Sept. 15, 2023
Period for the Parties to conduct all depositions of fact and 30(b)(6) witnesses.	Mon., Sept. 18, 2023 – Mon., Oct. 2, 2023

<u>Dispositive Motions:</u>	
Deadline for the Parties to file motions for summary judgment.	Fri., Oct. 9, 2023
Deadline for Parties to file responses to motions for summary judgment. No replies permitted.	Fri., Oct 27, 2023
Hearing on motions for summary judgment	____, Nov. __, 2023 at ____ .m. (Central)

Alternatively, in the event that the Court determines that the parties shall proceed on a complete discovery-to-trial schedule from the outset, the Debtors respectfully propose the below schedule, which reflects the importance to the Debtors' estate of quick adjudication of the Sphere Claims.

EVENT	DATE
<u>Discovery:</u>	
Deadline for all initial requests for document discovery to be served.	Mon., Aug. 14, 2023
Deadline to complete document productions and written discovery, including for third parties.	Fri., Oct. 6, 2023
Period for the Parties to conduct all depositions of fact and 30(b)(6) witnesses	Mon., Oct. 9, 2023 – Fri., Oct. 27, 2023

<u>Pretrial Motions:</u>	
Deadline for the Parties to file motions for summary judgment	Fri., Nov. 10, 2023
Deadline for Parties to file responses to motions for summary judgment. No replies permitted.	Fri., Dec. 1, 2023
Hearing on motions for summary judgment	____, Dec. __, 2023 at ____ .m. (Central)
<u>Pretrial and Trial:</u>	
The Parties shall exchange Witness and Exhibit Lists and deposition designations.	Jan. __, 2024 [Two weeks before Pretrial Conference]
Parties to file pre-trial motions, if any.	Jan. __, 2024 [Two weeks before Pretrial Conference]
Parties to file responses to pre-trial motions, if any.	Jan. __, 2024 [One week before Pretrial Conference]
The Parties shall confer and file the Standard Joint Pretrial Statement and related attachments in accordance with Appendix C to the Local Rules no later than this date.	Jan. __, 2024 [Two business days before Pretrial Conference]
Parties to file Witness Lists, Exhibits Lists, and Exhibits	____, Jan. __, 2024 at 12:00 p.m. (Central) [Two business days before Pretrial Conference]
Final pre-trial conference	____, Jan. __, 2024 at ____ .m. (Central)
Trial	____, Jan. __, 2024 at ____ .m. (Central)

Dated: August 7, 2023
Houston, Texas

Respectfully submitted,

/s/ Alfredo R. Pérez

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Counsel for Debtors and Debtors in Possession

Certificate of Service

I hereby certify that on August 7, 2023, a true and correct copy of the foregoing document was served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Alfredo R. Pérez

Alfredo R. Pérez